

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

AA 138/10
5113907

BETWEEN VISHAAL KUMAR
 Applicant

AND HOBDEN SCREEN ART 2007
 LTD
 Respondent

Member of Authority: James Wilson

Representatives: Rashida Syed for the applicant
 Ashok Kumar, Director, for the respondent

Determination: 24 March 2010

CONSENT DETERMINATION OF THE AUTHORITY

Background

[1] In a determination dated the 15 June 2009 (AA 182/09) I ordered the respondent, Hobden Screen Art 2007 Ltd (Hobden) to pay the respondent, Vishaal Kumar:

...an additional \$5.00 per hour for all of the hours he worked..... (and) holiday pay calculated at 8% on the payment made in terms of this order.

And:

\$2720.00 plus holiday pay calculated at 8% on this amount, being gross wages lost.

And:

\$4000.00, without deduction of tax, by way of compensation for the hurt and humiliation his unjustified constructive dismissal caused him.

Also in that determination I reserved the question of costs.

[2] Until now the parties have been unable to reach agreement on the question of costs. I am also advised that during this time the parties have been in discussions regarding a payment regime to allow Hobden to pay Mr Kumar the amounts owing over a period of time.

Consent order

[3] The parties have now advised that they have successfully resolved all outstanding matters, including the question of costs and a payment arrangement. They have requested the terms and conditions of settlement be incorporated into a consent order of the Authority.

[4] The parties have agreed to a record of settlement, a copy of which is attached. By consent, the terms set out in the record of settlement are also the orders of the Authority in this matter.

James Wilson

Member of the Employment Relations Authority